

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

TERRELL T. JACKSON,

Defendant.

8:03CR374

ORDER

Defendant Terrell T. Jackson (Jackson) appeared before the court on a Petition For Warrant or Summons For Offender Under Supervision (Petition) (Filing No. 48) on June 3, 2013. Jackson was represented by Federal Public Defender David R. Stickman, and the government was represented by Special Assistant U.S. Attorney David M. Wear. After being advised of the allegations of the Petition, Jackson requested a preliminary examination on the allegations and a detention hearing. The combined hearing was scheduled for 9:30 a.m. on June 6, 2013.

On June 6, 2013, Jackson again appeared before the court. He was represented by Assistant Federal Public Defender Karen M. Shanahan and the United States was represented by SAUSA Wear. The court heard the testimony of U.S. Probation Officer Travis Wilcoxon and Michael McCoy, Jackson's father. While the victim may have withdrawn her complaint that Jackson had assaulted her, her statements to Officer Wilcoxon and the photographs taken by Officer Wilcoxon are sufficient evidence of probable cause for the alleged violation. Whether the assailant was Jackson or some other person can be left to the dispositional hearing. Jackson admitted the charge of obstructing a police officer when the Omaha Police officers arrested Jackson on March 25, 2013. The court finds the allegations of the Petition are generally true and Jackson should be held for a dispositional hearing before Senior Judge Lyle E. Strom.

While Mr. McCoy testified Jackson could live with him and Mr. McCoy would serve as a third-party custodian, such arrangements are insufficient to overcome Jackson's burden that he is not a danger to the community. I find Jackson has failed to carry his burden to

show that there is a condition or a combination of conditions that would reasonably assure the safety of the community if he were released upon conditions. **See** 18 U.S.C. § 3143.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before the Honorable Lyle E. Strom, Senior U.S. District Court Judge, in Courtroom Number 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:30 a.m. on June 26, 2013.** Defendant must be present in person.
2. Jackson is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility.
3. Jackson shall be afforded a reasonable opportunity for private consultation with defense counsel.
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver Jackson to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 6th day of June, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge